

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

1:07mj86

UNITED STATES OF AMERICA,)

)

Vs.)

ORDER

)

GUY KENNETH PENLAND.)

)

THIS MATTER is before the undersigned magistrate judge upon the government's Motion to Dismiss. Having considered the government's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that the government's Motion to Dismiss is **ALLOWED**, and the above captioned action is **DISMISSED** without prejudice.

Signed: October 17, 2007



Dennis L. Howell
United States Magistrate Judge

